

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TEXTRON FINANCIAL CORPORATION :

STABILIS SPLIT ROCK JV, LLC : CIVIL ACTION NO:

PLAINTIFF/RESPONDENT :

V. : 3:CV-11-1957

VACATION CHARTERS, LTD., : (JUDGE CAPUTO)

DEFENDANT/MOVANT :

LOUIS DELROSSO, W. JACK KALINS, :

MOVANTS

**MOTION TO JOIN LOUIS N. DELROSSO, JR.,
AND W. JACK KALINS AS MOVANTS UNDER DEFENDANT'S
MOTION FOR ORDER DIRECTING RECEIVER, ROPA ASSOCIATES, LLC
TO RELEASE DISPUTED FUNDS IN PAYMENT OF
DEFENDANT'S IRS TAX LIABILITY**

NOW COMES, the Movants, W. Jack Kalins and Louis N. DelRosso, Jr., by and through their Attorney, Brian J. Cali, Esquire and move this Court for an Order allowing them to join in Defendant's Motion for Order Directing Receiver ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability, as Movants, and hereby aver as follows:

1. Orders were entered by this Honorable Court on August 25, 2015 (DOC 100), (DOC 101), overruling the Objections of W. Jack Kalins and Louis DelRosso to the Final Report of the Receiver and directing the objecting parties, W. Jack Kalins and Louis DelRosso a/k/a Louis N. DelRosso, Jr., to enter their appearance in the case and to file an Appropriate Motion seeking a determination regarding the disputed funds presently being held in escrow by ROPA Associates, LLC, as Court-Appointed Receiver. See Orders dated August 25, 2015, attached as Exhibits "A" and "B".

2. On September 11, 2015, the undersigned counsel entered his appearance on behalf of the Defendant Vacation Charters, Ltd., for the limited purpose of presenting a Motion for Order Directing Receiver ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability. Said Entry of Appearance and Motion were filed with this Court on September 11, 2015 and are attached as Exhibits "C" and "D".

3. The Motion for Order Directing Receiver ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability was brought by Defendant, Vacation Charters, Ltd., because the tax liability which is the subject of Defendant's Motion results from the business operation of the Defendant, Vacation Charters, Ltd., and is owed by the Defendant, Vacation Charters, Ltd., to the IRS.

4. The Individual Movants, W. Jack Kalins and Louis N. DelRosso, Jr., believe and aver that pursuant to this Court's Order of August 25, 2015, they

should have joined individually as Movants in Defendant's Motion pursuant to said Orders of Court directing them to file "an appropriate Motion seeking determination regarding the disputed funds presently being held in escrow by ROPA Associates, LLC." See Exhibit "A" and "B" attached.

5. W. Jack Kalins and Louis N. DelRosso, Jr., are requesting to join in Defendant's Motion previously filed with this Court on September 11, 2015, to be responsive to this Court's Order of August 26, 2015 as the Order directed them individually to enter their appearance and file an appropriate Motion seeking a determination regarding the disputed funds held by the Receiver, ROPA Associates, LLC.

6. The Individual Movants request for Relief directed to this Court arise from the same facts and are fully stated in Defendant's Motion for Order Directing Receiver ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability .

7. Both the individual Movants and the Defendant believe and aver that the IRS tax liability owed should have been paid by the Receiver as it was required to pay the tax obligations of the Defendant's business by Order of Court dated November 9, 2011 as stated in Defendant's Motion for Order Directing Receiver ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability.

8. The Individual Movants, W. Jack Kalins and Louis DelRosso allege that because of Receiver's failure to pay the payroll taxes of the Defendant, Vacation

Charters, LTD., that the IRS has asserted a tax lien against both Movants individually.

9. The Individual Movants, W. Jack Kalins and Louis N. DelRosso, Jr., incorporate all averments of the Defendant's Motion for Order Directing Receiver ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability and request this Honorable Court for the relief requested by said Motion.

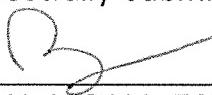
10. The Individual Movants request that this Honorable Court allow them to join in the Defendants Motion for Order Directing Receiver ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability as Individual Movants in said Motion.

11. Should this Court grant the Individual Movants Motion for to Join, said Movants request that they may join in Defendant's Brief in Support of its Motion, which is due to be filed before this Honorable Court December 23, 2015, pursuant to this Court's Order of December 9, 2015.

12. The Defendant has sought concurrence from the Plaintiff, however as of the filing of this Motion, Plaintiff has not responded.

WHEREFORE, the individual Movants, W. Jack Kalins and Louis N. DelRosso, Jr., requests this Honorable Court to allow them to join in Defendant's Motion for Order Directing Receiver ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability, as Movants, pursuant to this Court's Orders of August 25, 2015, (Doc. 100) (Doc. 101) and further to join with Defendant, Vacation Charters, Ltd., in its Brief in Support of its Motion to be filed on or before December 23, 2015.

Respectfully submitted,



BRIAN J. CALI, ESQUIRE
Attorney for Movants
W. Jack Kalins and
Louis DelRosso
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Dunmore, PA 18512
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COMMONWEALTH OF PENNSYLVANIA:

:SS

COUNTY OF LACKAWANNA:

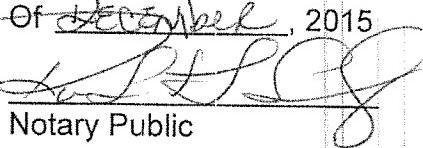
I, LOUIS N. DELROSSO, being duly sworn according to law depose and say that the facts set forth in the attached pleading are true and correct to the best of my knowledge, information and belief.

Louis N. DelRosso Jr.
LOUIS N. DELROSSO JR.

Sworn to and subscribed

Before me this 16 day

Of December, 2015


Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Robert L. De Angelis, Notary Public
Tunkhannock Twp., Monroe County
My Commission Expires Aug. 13, 2016

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

COMMONWEALTH OF PENNSYLVANIA:

:SS

COUNTY OF CARBON

I, W. JACK KALINS, being duly sworn according to law depose and say
that the facts set forth in the attached pleading are true and correct to the best of
my knowledge, information and belief.



W. JACK KALINS

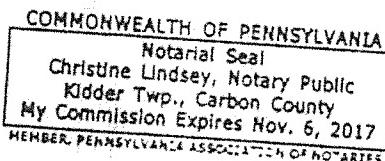
Sworn to and subscribed

Before me this 17th day

Of December, 2015



Christine Lindsey
Notary Public



**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TEXTRON FINANCIAL CORPORATION:

STABILIS SPLIT ROCK JV, LLC : CIVIL ACTION NO:

v. : 3:CV-11-1957

VACATION CHARTERS, LTD., : (JUDGE CAPUTO)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Motion to Join Louis N. DelRosso, Jr., and W. Jack Kalins as Movants Under Defendant's Motion For Order Directing Receiver, ROPA Associates, LLC to Release Disputed Funds in Payment of Defendant's IRS Tax Liability was served on the following:

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Respectfully submitted,

Dated: December 18, 2015

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